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Fiduciary of Employers Mutual Plans

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

Thomas A. Dillon, Independent Fiduciary of  
Employers Mutual Plans,

Plaintiff,

v.

American International Specialty Lines Insurance  
Company and National Union Fire Insurance  
Company of Pittsburgh

Defendants.

**CASE NO.: CV-N-06-0348**

**PLAINTIFF'S NOTICE OF SETTLEMENT  
AND EX PARTE MOTION REQUESTING  
ENTRY OF A STAY ORDER; ORDER**

**No Hearing Requested**


TO THE COURT AND DEFENDANTS AMERICAN INTERNATIONAL SPECIALTY LINES  
INSURANCE COMPANY AND NATIONAL UNION FIRE INSURANCE COMPANY OF  
PITTSBURGH:

YOU ARE HEREBY NOTIFIED THAT Plaintiff Thomas A. Dillon ("Dillon") and  
Defendants American International Specialty Lines Insurance Company and National Union Fire  
Insurance Company of Pittsburgh have agreed to resolve this matter by way of settlement.  
Because the defendants have not yet made an appearance in the case and will in all likelihood  
not need to do so, Dillon requests *ex parte* that the Court enter an Order staying the matter to

1 allow the parties to prepare settlement documents and to have them approved by the Court in  
2 underlying litigation. Dillon will dismiss the case when the settlement agreement has been so  
3 approved. This application is made on an *ex parte* basis in order that the stay can be entered  
4 without the need for the defendants to respond to Dillon's Complaint. To Dillon's knowledge,  
5 the defendants support this *ex parte* Motion, and would join in the *ex parte* Motion except that  
6 they have not yet appeared in this action.

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8 Dated: June 29, 2006

HOLLISTER & BRACE  
A Professional Corporation

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10 By:   
11 ROBERT L. BRACE  
12 MICHAEL P. DENVER  
Attorneys for Plaintiff

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14 If a dismissal of this action has not been filed within six (6) months of the date of  
15 entry of this Order and no other relief from this Order has been ordered, the Court  
Clerk is directed to dismiss this action without prejudice.

16 IT IS SO ORDERED.

17 DATED this 14th day of September, 2006.

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21 LARRY R. HICKS  
22 UNITED STATES DISTRICT JUDGE  
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